

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
ENTERED

JUL 21 2003

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

Michael N. Milby, Clerk of Court

CLAIRE SENGLIN, et al.	§	Civil Action No. H-01-3900
	§	
v.	§	
	§	COLLECTIVE ACTION
CYPRESS CREEK EMERGENCY	§	
MEDICAL SERVICES ASSOCIATION	§	
and BRADLEY J. ENGLAND	§	JURY TRIAL DEMANDED

**ORDER APPROVING OF SETTLEMENT  
AND ENTRY OF PARTIAL DISMISSAL**

Plaintiffs and Defendants filed a Joint Motion for Approval of Settlement and Entry of Dismissal (the Motion) announcing that they have settled the dispute between them. Having reviewed the Motion and considering the applicable law, the Court GRANTS the Motion and makes the following findings:

Plaintiffs brought claims under the Fair Labor Standards Act ("FLSA").

All Plaintiffs and all Defendants have settled all claims other than the retaliation claims of Thomas Phythian and Omar Qassom have asserted against Defendants. Nothing in this Order impacts these retaliation claims in any fashion.

Plaintiffs have represented that, via the settlement reached with Defendants, they are to be paid in full for all back wages owed during the two year period preceding each plaintiff's filing of a notice of consent. Further, the payments made pursuant to the settlement agreement shall not be reduced by the payment of attorneys' fees which are to be paid by Defendants. The settlement therefore represents a fair and reasonable settlement as a compromise of this dispute and has been agreed to by Plaintiffs and Defendants.

146

Based upon the foregoing, it is therefore ORDERED, that the Joint Motion for Approval of Settlement and Entry of Partial Dismissal is GRANTED and the claims described therein are hereby **DISMISSED WITH PREJUDICE** in their entirety, leaving only the retaliation claims of Thomas Phythian and Omar Qassom which are not impacted by this Order in any way.

**IT IS FURTHER ORDERED** that each party shall bear its own costs of Court and attorney's fees.

Signed at Houston, Texas this 18<sup>th</sup> day of July, 2003.

  
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SIM LAKE  
UNITED STATES DISTRICT JUDGE